

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned
 OTHER MINOR OFFENSE MO ☐ 1085/4 8510
 OTHER MISDEMEANOR Mis ☐ Disp./Sentence
 FELONY Fel ☒ District Office 11-16-76

U.S.

vs.

AYERS, DENNIS BRADLEY (BOND) (25)
 4835 So. 74th E. Ave.
 Tulsa, OK 74145

(LAST, FIRST, MIDDLE)

Case Filed
 Mo. Day
 08 05
 No. of Def's
 * 3
 JUVENILE

76 - CR - 107 - 1

Yr. Docket No. Def.

U.S. TITLE/SECTION

OFFENSES CHARGED

ORIGINAL COUNTS

21:846,841(a)(1)

Narcotics conspiracy
 (\$15,000 and/or 5 yrs.)

w/spec. parole term of not less
 than 2 yrs.

I
 II

U.S. MAG. CASE NO. 76-114M

BAIL • RELEASE M-1197

AMT ☐ Fugitive
 Denied ☐ Set ☒ Pers. Recog.
 PSA

\$10,000 conditions

Date 7-23-76
☐ 10% Deposit
☐ Surety Bond

☐ Bail Not Made
☐ Status Changed (See Docket)
☐ Collateral
☐ 3rd Prty Cust
☐ Other

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 7-22-76	High Risk Date 8-5-76	1st Plea 3-12-76	Trial Set For 9-13-76	Disposition of Charges 11-16-76
Summons Served	Indict. Waived	Final Plea 9-27-76	Voir Dire <input type="checkbox"/>	<input checked="" type="checkbox"/> Convicted
First Appearance	In Charging District	Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	Trial Began <input type="checkbox"/>	<input type="checkbox"/> On All Charges
			Trial Ended <input type="checkbox"/>	<input type="checkbox"/> On Lesser * Offense(s)
				<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP

☒ On Governm'ts Motion
 Ct. 2 dismiss. 9-27-76

MAGISTRATE		DATE	INITIAL/NO.	OUTCOME:
Search Warrant	Issued	7-23-76	MLB/85AA	<input type="checkbox"/> DISMISSED
Summons	Issued	7-23-76	MLB/85AA	<input checked="" type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Arrest Warrant Issued	Served	7-23-76	MLB/85AA	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
COMPLAINT		7-23-76	MLB/85AA	
OFFENSE (In Complaint)		Conspiracy to distribute marijuana		

U.S. Attorney or Asst.

ATTORNEYS

Defense: ☐ CJA ☒ Ret. ☐ Waived. ☐ Self. ☐ None / Other. ☐ PD. ☐ CD

Kenneth P. Snoke, Ass't.

John Street
 201 Denver Bldg.
 Tulsa, OK 74103

PH: 582-9220

* Show last names and suffix numbers of other defendants on same indictment/information:

2) JOHNATHAN LEVI LOPEZ 3) BENNIE LOPEZ

DATE (DOCUMENT NO.) PROCEEDINGS

EXCLUDABLE DELAY

(a) (b) (c) (d)

7-23-76 Deft. Ayers released on \$10,000 personal bond. (MLB-Mag.)kt
 8-5 Record vote of the Grand Jury concurring, fld. in Open Court. v
 8-5 Indictment, filed in Open Court. (HDC-J)v
 8-5 MO: Case set for ARRAIGNMENT on 8-12-76 at 9:30 a.m. Deft. granted 10 days to file mots., Govt. then granted 5 days to respond. (HDC-J)v -notices mld.
 8-5 Appearance bond in the amt. of \$10,000 personal, filed. hm
 8-5 Order specifying methods and conditions of release, filed. hm
 8-5 Magistrate's papers, filed, including complaint, information sheet, waiver of counsel, return on warrant of arrest & Form AO 257. hm
 8-12 Case called for arr. & plea. Deft. present & rep.; govt. rep. Deft. acknowledges receipt of ind., is arraigned & enters plea of NOT GUILTY to Cts. 1&2. Deft. given until 8-15 to file motions; govt. 3 days thereafter to respond. PT hearing set 8-25-76 at 9:30 a.m. and jury

For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

- A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
- B. NARA Examination (38 U.S.C. 2902).
- C. State or Federal trials on other charges.
- D. Interlocutory Appeals.
- E. Hearings on pretrial motions.
- F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
- G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
- H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
- I. Prosecution deferred by mutual agreement.
- M. Unavailability of defendant or essential witness.
- N. Period of mental or physical incompetence of defendant to stand trial.
- O. Period of NARA Commitment or Treatment.
- P. Superseding indictment and/or new charges.
- R. Defendant awaiting trial of Co-defendant when no severance has been granted.
- T. Continuances granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendant's interests).
- U. Time between guilty plea and plea withdrawal.
- W. Grand Jury indictment extended per 3161 (b).

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned
 OTHER MINOR OFFENSE MO ☐ 1085 4 8510
 OTHER MISDEMEANOR Mis ☐
 FELONY Fel ☒ District Office 11-4-76

vs. LOPEZ, JOHNATHAN LEVI (26) (Jail)
 66 No. Lewis Pl.
 Tulsa 74110

Case Filed
 Mo. Day
 08 05
 No. of Def's
 * 3

76 - CR - 107 - 2

U.S. MAG. CASE NO. 76-114M

BAIL • RELEASE M-1197

AMT ☐ Fugitive
 Denied ☐ Set ☐ Pers. Recog.
☐ PSA

\$ 10 000 conditions

Date 7-23-76
☐ 10% Deposit
☒ Surety Bond /C

☒ Bail Not Made
☐ Status Changed (See Docket)
☐ Collateral
☐ 3rd Prty Cust Other

U.S. TITLE/SECTION 21:846,841(A) (1) Narcotics conspiracy
 (\$15,000 and/or 5 yrs.)
 OFFENSES CHARGED w/spec. parole term of not less
 than 2 yrs.)
 ORIGINAL COUNTS I
 II

II. KEY DATES & INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL
U.S. Custody Began 7-22-76	High Risk Date Information <input type="checkbox"/> 8-5-76	8-12-76	Trial Set For 9-13-76
Summons Served	Indict. Waived <input type="checkbox"/> Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/>	1st Plea " <input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL { G. Plea W/Drawn	Voir Dire <input type="checkbox"/> Trial Began <input type="checkbox"/> J Trial Ended <input type="checkbox"/> J
First Appearance	In Charging District	Final Plea 9-29-76 <input type="checkbox"/> NG <input checked="" type="checkbox"/> G <input type="checkbox"/> NOL	

SENTENCE

Disposition of Charges 11-4-76

☒ Convicted
☐ Acquitted
☐ Dismissed: ☐ WOP: ☐ WP

☐ On Governm'ts Motion

Ct. 2 dismiss. 11-4-76

MAGISTRATE		OUTCOME:
Search Warrant	Issued Return	<input type="checkbox"/> DISMISSED
Summons	Issued Served	<input checked="" type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Arrest Warrant Issued	7-23-76 MLB/85AA	<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
COMPLAINT	7-23-76 MLB/85AA	
OFFENSE (In Complaint)	Conspiracy to distribute marijuana	

U.S. Attorney or Asst.

ATTORNEYS

Defense: ☒ JA Ret: ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

Kenneth P. Snoke, Ass't.

Ben Baker

Stephen C. Wolfe
 1634 So. Boulder
 Tulsa, OK 74119

Phil Frazier 939-2445
 1424 Terrace Dr.
 Tulsa 74104

* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY
-1976-			(a) (b) (c) (d)
8-5		Record vote of the Grand Jury Concurring, fld. in Open Court. v	
8-5		Indictment, fld. in Open Court. Bond set at \$10,000.00, C/S. (HDC-J)v	
8-5		MO: Case set for ARRAIGNMENT on 8-12-76 at 9:30 a.m. Deft. granted 10 days to file mots., Govt. then granted 5 days to respond. (HDC-J)v -notices mld.	
8-5		Magistrate's papers, filed, including information sheet, waiver of counsel, return on warrant of ar- rest & Form AO 257. hm	
8-12		Case called for arr. & plea. Deft. present & rep.; govt. rep. Deft. acknowledges receipt of ind., is arraigned & enters plea of NOT GUILTY to Cts. 1&2. Deft. given until 8-15 to file motions; govt. 3 days thereafter to respond. PT hearing set 8-25-76 at 9:30 a.m. and jury trial set 9-13-76 at 9:30 a.m. Deft. remanded to cust. of U.S. Marshal. (HDC-J)hm	
8-26		Case called for pre-trial hearing. Deft. present &	3 8-26-76 E 1 8-26-76

DATE	76-CR-107(J.LOPEZ) IV. PROCEEDINGS (continued) (DOCUMENT NO.)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Exclud- able Delay Per 18 U.S.C. 3161(h)
			Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	
9-7-76	rep.; govt. rep. Statements made. Deft. counsel announces both defts. Lopez's will go to trial as scheduled on 9-13-76. (HDC-J)hm						A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
9-7	Order (as part of appl) filed, granting Wolfe leave to withdraw as counsel of record.(HDC-J)rm-copies md.						B. NARA Examination (28 U.S.C. 2902).
9-13	Financial Aff., fld. v						C. State or Federal trials on other charges.
9-13	Case called for jury trial as to defts. Johnathan and Bennie Lopez. Deft. present & rep.; govt. rep. Deft. waives jury; jury waiver signed and filed in open Ct. Non-jury trial set 9-27-76 at 9:00 a.m. as to both Lopez's. (HDC-J)hm						D. Interlocutory Appeals.
9-27	Case called for N/J trial. Deft. present & rep.; govt. rep. Deft. changes plea from Not Guilty to GUILTY in Ct. 1. Deft. ack. receipt of Ind. Petition to Enter Plea of Guilty executed & sworn to. Ind. read, deft. arraigned. Deft. sworn. Court does not accept plea of Guilty. Case set for N/J trial 9-29-76 at 9:30 a.m. Deft. remanded to cust. of U.S. Marshal. (HDC-J)hm						E. Hearings on pretrial motions.
9-29	Case called for N/J trial. Deft. present & rep.; govt. rep. Deft. changes plea from Not Guilty to GUILTY in Ct. 1. Govt. counsel presents chemist's report to Court stating substance in question is marijuana & said report is made a part of Petition to enter Plea of Guilty. Indictment read. Petition to Enter Plea of Guilty re-executed, sworn to, approved & filed in open court. Deft. sworn. Deft. adjudged GUILTY as charged in Ct. 1. Sentence set 11-4-76 at 9:30 a.m. (HDC-J)hm						F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
11-4	Case called for sentence. Deft. present & rep.; govt. rep. Deft. & counsel asked if they care to say anything before sentence is pronounced. Judgment and Sentence - JOHNATHAN LEVI LOPEZ (26) Ct. 1- Atty. Gen. - Three and one-half(3½) Years IT IS FURTHER ORDERED that the deft. may become elig. for parole at such time as the U.S. Parole Commission may determine as provided in T. 18, U.S.C. Sec. 4205(b)(2). On govt's motion, Ct. 2 dismissed, and govt. to prepare order for dismissal of Ct. 2. (HDC-J)hm						G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h)(1)(G).
11-4	Judgment and Commitment, filed and entered. (HDC-J)hm						H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
11-4	Two c/c of J&C delivered to U.S. Marshal. hm						I. Prosecution deferred by mutual agreement.
11-4	Order for dismissal of Count II of the Indictment, filed and entered. (HDC-J)ph cps mld						M. Unavailability of defendant or essential witness.
11-17	J&C, ret. & filed: deft. delivered to Fed. Prison Camp, Leavenworth, Ks. on 11-16-76. g						N. Period of mental or physical incompetence of defendant to stand trial.
1980 7-29	ORDER entered that spec. parole term heretofore imposed on deft. in Ct. 1 of Ind. is hereby vacated. (HDC-J)hm (cc: attys & prob. office)						O. Period of NARA Commitment or Treatment.

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

- T. Continuances Granted per 3161(h)(8) i.e. ends of justice or complexity of case outweighs defendant's interests.
- U. Time between guilty plea and plea withdrawal.
- W. Grand Jury indictment extended per 3161(b).

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned
 OTHER MINOR OFFENSE MO ☐ 1085 4 8510
 OTHER MISDEMEANOR Mis ☐
 FELONY Fel ☒ District Office 11-4-76

U.S. vs. LOPEZ, BENNIE (Bond) (28)
 68 No. Lewis Pl.
 Tulsa 74110
 (LAST, FIRST, MIDDLE)

Case Filed Mo. Day 08 05
 No. of Def's * 3
 Yr. 76 - CR - 107 - 3
 Docket No. Def.

U.S. TITLE/SECTION 21:846,841(a)(1) Narcotics conspiracy
 OFFENSES CHARGED (\$15,000 and/or 5 yrs.)
 ORIGINAL COUNTS I
 II
 w/spec. parole term of not less than 2 yrs.

U.S. MAG. CASE NO. 76-114M
 BAIL • RELEASE 11-197
 AMT ☐ Fugitive
 Denied ☐ Set ☐ Pers. Recog.
 \$10,000 ☐ PSA
 Date 7-23-76 ☐ 10% Deposit
☒ Surety Bond /C
☒ Bail Not Made
☒ Status Changed (See Docket)
☐ Collateral
☐ 3rd Prty Cust
☐ Other

II. KEY DATES & INTERVALS

ARREST or 1 INDICTMENT ☒ 2 ARRAIGNMENT 3 TRIAL 4 SENTENCE
 U.S. Custody Began 7-22-76 High Risk Date Information 8-5-76 Trial Set For 9-13-76
 Summons Served Indict. Waived 1st Plea " Final Plea 9-27-76
 First Appearance In Charging District Superseding ☐ Indict/Info ☐
 Voire Dire ☐
 Trial Began ☐ Trial Ended ☐
 Disposition of Charges 11-4-76
☒ Convicted ☐ On All Charges
☐ Acquitted ☒ On Lesser * Offense(s)
☐ Dismissed: ☐ WOP: ☐ WP
☒ On Governm'ts Motion
 Ct. 2 disp. 9-27-76

MAGISTRATE		DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant	Issued			7-23-76	MLB/85AA	<input type="checkbox"/> DISMISSED <input checked="" type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
	Return			7-29-76	MLB/85AA	
Summons	Issued			7-29-76	MLB/85AA	
	Served			7-29-76	MLB/85AA	
Arrest Warrant Issued		7-23-76	MLB/85AA			
COMPLAINT		7-23-76	M.B/85AA			
OFFENSE (In Complaint)	Conspiracy to distribute marijuana					

U.S. Attorney or Asst.

Kenneth P. Snoke, Ass't.

ATTORNEYS

Defense: ☒ CJA, Ret: ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

Stephen C. Wolfe
 1634 So. Boulder
 Tulsa, OK 74119

A. A. Berringer 584-2451
 711 Beacon Bldg. 743-8717
 Tulsa 74103
deceased

* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
-1976-			
8-5		Record vote of the Grand Jury Concurring, fld. in Open Court. v	
8-5		Indictment, fld. in Open Court. Bond set at \$10,000.00, C/S. (HDC-J)v	
8-5		Mo: Case set for ARRAIGNMENT on 8-12-76 at 9:30 a.m. Deft. granted 10 days to file mots., Govt. then granted 5 days to respond. (HDC-J)v -notices mld.	
8-5		Magistrate's papers, filed, including information sheet, waiver of counsel, return on warrant of arrest & Form AO 257. hm	
8-12		Case called for arr. & plea. Deft. present & rep.; govt. rep. Deft. acknowledges receipt of ind., is arraigned & enters plea of NOT GUILTY to Cts. 1&2. Deft. given until 8-15 to file motions; govt. 3 days thereafter to respond. PT hearing set 8-25-76 at 9:30 a.m. & jury trial set 9-13-76 at 9:30 a.m. Deft. re- manded to cust. of U.S. Marshal. (HDC-J)hm	
8-26		Pre-trial hearing held. Deft. present & rep.; govt. 3	8-26-76 E 1 8-26-76

DATE	76-CR-107(B.LOPEZ) (DOCUMENT NO.)	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Exclud- able Delay Per 18 U.S.C. 3161(h)
				Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	
		rep. Statements made. Deft. counsel announces both defts. Lopez's will go to trial as scheduled on 9-13-76. (HDC-J)hm						A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
8-31-76		MO: Ordered that deft's request for a preliminary hearing is denied, for the reason that he has been charged by indictment. Further ordered that A. A. Berringer is appointed as counsel to represent deft. (HDC-J)hm (letter written)						B. NARA Examination (28 U.S.C. 2902).
8-31		Applic. of Stephen C. Wolfe to withdraw as atty. of record, filed. hm						C. State or Federal trials on other charges.
9-3		MO: Upon request of deft. counsel, Mr. Berringer, deft's bond is reduced to \$5,000 10% cash, over no obj. from govt. (HDC-J)hm						D. Interlocutory Appeals.
9-3		Appearance bond in the amt. of \$5,000 10% cash, filed.hm						E. Hearings on pretrial motions.
9-3		Order specifying methods and conditions of release, filed. hm						F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).
9-7		Order (as part of appl), filed, granting Wolfe leave to withdraw as counsel of record.(HDC-J)rm-copies md						G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
9-7		Financial Aff., fld. v						H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
9-13		Case called for jury trial as to deft. Johnathan and Bennie Lopez. Deft. present & rep.; govt. rep. Deft. waives jury; jury waiver signed and filed in open Ct. Non-jury trial set 9-27-76 at 9:00 a.m. as to both Lopez's. (HDC-J)hm						I. Prosecution deferred by mutual agreement.
9-27		Case called for N/J trial. Deft. present & rep.; govt. rep. Deft. changes plea from Not Guilty to GUILTY in Ct. 1. Deft. ack. receipt of Ind. Petition to enter Plea of Guilty executed, sworn to, approved & filed in open court. Ind. read, deft. arraigned. Deft. sworn. Deft. adjudged GUILTY as charged in Ct. 1 of the Ind. Sentence set 11-4-76 at 9:30 a.m. On govt's motion, Ct. 2 is dismissed. Order for dismissal of Ct. 2 signed & filed in open court. (HDC-J)hm						M. Unavailability of defendant or essential witness.
9-27		Order for dismissal of Ct. 2, filed and entered. (HDC-J)hm						N. Period of mental or physical incompetence of defendant to stand trial.
11-4		Case called for sentence. Deft. present & rep.; govt. rep. Deft. & counsel asked if they care to say anything before sentence is pronounced. Judgment and Sentence - BENNIE LOPEZ (28) Ct. 1- Atty. Gen. - Two (2) Years IT IS FURTHER ORDERED that the deft. may become elig. for parole at such time as the U.S. Parole Commission may determine as provided in T. 18, U.S.C., Sec. 4205(b)(2). (HDC-J)hm						O. Period of NARA Commitment or Treatment.
11-4		Judgment and Commitment, filed and entered. (HDC-J)hm						P. Superseding indictment and/or new charges.
11-4		Two c/c of J&G delivered to U.S. Marshal. hm						R. Defendant awaiting trial of Co-defendant when no severance has been granted.

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET U. S. vs

BENNIE LOPEZ

1.

Docket No.

|Def.

DATE 1976		PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(Document No.)	(a)	(b)	(c)	(d)
11-4	11-17	Appl. for withdrawal of Bail w/order granting Clerk to refund to Mrs. Annie Lopez the sum of \$500 for cash bail. (HDC-J)ph cps mld J&C, ret. & filed: deft. delivered to Fed. Prison Camp, Leavenworth, Ks. on 11-16-76. g				
1981 11-5		ORDER entered that the Special Parole Term imposed upon deft in Ct. I of the Indictment is vacated. (HDC-J) jc (c/USA, cc/prob)				

[illegible]